

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of	)	
	)	
Service Quality, Customer Satisfaction,	)	WC Docket No. 08-190
Infrastructure and Operating Data Gathering	)	

**COMMENTS OF QWEST COMMUNICATIONS INTERNATIONAL INC.**

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November 14, 2008

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## SUMMARY

In its Notice of Proposed Rulemaking, the Commission tentatively concluded that it should collect service quality, customer satisfaction, infrastructure and operational information similar to that contained in ARMIS Reports 43-05, 43-06, 43-07 and 43-08 from the entire relevant industry. Qwest disagrees with the Commission's tentative conclusions and urges the Commission to reconsider them.

As Qwest points out in its Comments, service quality and customer satisfaction data would be of little use to either mass market customers or sophisticated large business and government customers in making decisions to purchase telecommunications products and services. Collecting infrastructure and operating data (*i.e.*, similar to that contained in ARMIS Reports 43-07 and 43-08) from all industry participants would also be of limited usefulness in the Commission's public safety and broadband policymaking efforts. Notably, the Commission already has reporting requirements for service outages for public safety policymaking purposes. Furthermore, any information that the Commission may need for broadband policymaking purposes is best addressed in the Commission's open proceeding on broadband reporting rather than in this proceeding.

However, if the Commission finds that it is necessary to collect any service quality, customer satisfaction, infrastructure or operating data, this information should be collected from all industry participants on Form 477.

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**COMMENTS OF QWEST COMMUNICATIONS INTERNATIONAL INC.**

Qwest Communications International Inc., and its affiliates (hereafter referred to jointly as “Qwest”) submit these Comments on the Federal Communications Commission’s (“Commission”) Notice of Proposed Rulemaking (“Notice” or “NPRM”) in the above-captioned proceeding that was released with the *ARMIS Forbearance Order*<sup>1</sup> in which the Commission conditionally granted AT&T Inc.’s (“AT&T”) petition requesting that the Commission forbear from enforcing its ARMIS service quality and infrastructure reporting requirements (*i.e.*, ARMIS Reports 43-05, 43-06, 43-07 and portions of 43-08) against AT&T.<sup>2</sup> In the *ARMIS Forbearance*

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<sup>1</sup> *In the Matter of Service Quality, Customer Satisfaction, Infrastructure and Operating Data Gathering, Petition of AT&T Inc. for Forbearance Under 47 U.S.C. § 160(c) From Enforcement of Certain of the Commission’s ARMIS Reporting Requirements, Petition of Qwest Corporation for Forbearance from Enforcement of the Commission’s ARMIS and 492A Reporting Requirements Pursuant to 47 U.S.C. § 160(c), Petition of the Embarq Local Operating Companies for Forbearance Under 47 U.S.C. § 160(c) From Enforcement of Certain of ARMIS Reporting Requirements, Petition of Frontier and Citizens ILECs for Forbearance Under 47 U.S.C. § 160(c) From Enforcement of Certain of the Commission’s ARMIS Reporting Requirements, Petition of Verizon for Forbearance Under 47 U.S.C. § 160(c) From Enforcement of Certain of the Commission’s Recordkeeping and Reporting Requirements, Petition of AT&T Inc. For Forbearance Under 47 U.S.C. § 160 From Enforcement of Certain of the Commission’s Cost Assignment Rules, Memorandum Opinion and Order (“ARMIS Forbearance Order”), WC Docket Nos. 08-190, 07-139, 07-204, 07-273 and 07-21, FCC 08-203 (rel. Sept. 6, 2008), *pets. for recon. pending* (Oct. 6, 2008).*

<sup>2</sup> Petition of AT&T Inc. for Forbearance Under 47 U.S.C. § 160(c) from Enforcement of Certain of the Commission’s ARMIS Reporting Requirements, WC Docket No. 07-139, filed June 8, 2007 (“AT&T ARMIS Forbearance Petition”).

*Order*, the Commission extended the same relief to all other carriers required to file ARMIS service quality and infrastructure reports.<sup>3</sup>

In acknowledging that forbearance from applying the ARMIS service quality and infrastructure reporting requirements to a small number of incumbent local exchange carriers (“ILECs”) was warranted under Section 10 of the Act, the Commission requested “comment on whether and how the Commission should collect such data on an industry-wide basis.”<sup>4</sup> Qwest responds to the Commission’s request for comment in the following sections.

## **I. SERVICE QUALITY AND CUSTOMER SATISFACTION REPORTS**

ARMIS Report 43-05 contains information on service quality of price cap ILECs by study area and for total company. This report includes data on installation and repair intervals, trunk blockages, switch data, and service quality complaints. ARMIS Report 43-06 contains the results of customer satisfaction surveys for various aspects of price cap ILECs’ services. Much of the information in these reports, as the Commission has recognized previously, is of a technical nature and meaningless to the average consumer.<sup>5</sup> However, in its *NPRM*, the Commission stated that the type of information contained in the ARMIS 43-05 and 43-06 reports “might be useful to consumers to help them make informed choices in a competitive market, but only if available from the entire relevant industry” and tentatively concluded that they [the Commission] should collect this type of information from the entire relevant industry.<sup>6</sup>

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<sup>3</sup> *ARMIS Forbearance Order* ¶ 22.

<sup>4</sup> *NPRM* ¶ 33.

<sup>5</sup> *In the Matter of 2000 Biennial Regulatory Review – Telecommunications Service Quality Reporting Requirements*, Notice of Proposed Rulemaking, 15 FCC Rcd 22113, 22118 ¶ 14 (2000).

<sup>6</sup> *NPRM* ¶ 35.

The type of service quality and customer satisfaction information in current ARMIS Reports would be of little use to customers even if it is collected on an industry-wide basis. As such, Qwest disagrees with the Commission's tentative conclusion that such data should be collected by the Commission. Telecommunications customers can be grouped into two large categories: mass market customers and large business and government customers. It is highly questionable whether mass market customers would find the type of service quality and customer satisfaction information that the Commission proposes to collect to be of any value. This information would quickly be out-of-date (since it is reported on an annual basis) and because of its technical nature would be meaningless to those other than telecommunications professionals. A much more understandable and timely source of information for mass market customers would be Consumer Reports, J. D. Power or similar sources.

Service quality and customer satisfaction information would also be of little use to large business and government customers. These customers are sophisticated purchasers of telecommunications products and services. They often purchase services under long term contracts based on Requests for Proposals ("RFPs") containing stringent quality of service standards and extensive specifications. These customers either have telecommunications professionals on their staffs or employ outside consultants to assist them in comparing service offerings of various competitive service providers. The type of quality of service information contained in current ARMIS Reports that the Commission has tentatively concluded should be collected on an industry-wide basis would be of little value to such sophisticated customers. As such, Qwest urges the Commission to reverse its tentative conclusion and find that the service quality and customer satisfaction data should not be collected on an industry-wide basis. The costs of such an industry-wide data collection effort would far out-weigh any possible benefits.

## II. INFRASTRUCTURE REPORTS

ARMIS Report 43-07 is an infrastructure report, which is filed on a study area and operating company basis by mandatory price cap LECs and contains data on switching equipment and transmission facilities. ARMIS Report 43-08 contains outside plant statistics and other operating data by state and is filed by mid-sized and large ILECs.<sup>7</sup> Currently, these reports provide little, if any, usable information to end-user customers. They do not provide an accurate picture of Qwest's infrastructure investments and operations. Nor would expanding these reporting requirements to the industry as a whole provide much useful information for developing comprehensive industry policies.

Qwest urges the Commission to reconsider its tentative conclusion "that collection of information of this type [contained in ARMIS Reports 43-07 and 43-08] would be useful to the Commission's public safety and broadband policymaking."<sup>8</sup> Notably, the Commission already has reporting requirements for service outages<sup>9</sup> for public safety policymaking purposes. It is unlikely that the Commission would base any public safety policies of any importance on information contained in ARMIS Reports 43-07 and 43-08 even if this information were collected on an industry-wide basis.

Qwest also urges the Commission to reconsider its tentative conclusion that collection of such information would aid the Commission in its broadband policymaking efforts. However, Qwest does agree that, if the Commission does conclude that it has a federal need for broadband information, such information must be collected from all broadband service providers. That is

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<sup>7</sup> Qwest's Comments only refer to those sections of ARMIS Report 43-08 as to which the Commission has granted forbearance to AT&T, Qwest and other ILECs.

<sup>8</sup> *NPRM* ¶ 34.

<sup>9</sup> *See* 47 C.F.R. § 4.9.

one of the reasons why any broadband reporting requirements are best addressed in the Commission's open proceeding on broadband reporting.<sup>10</sup> It is both duplicative and inefficient to address broadband reporting in a parallel proceeding. Therefore, Qwest urges the Commission to find that there is no need to adopt separate infrastructure reporting requirements other than those found to be necessary in the Commission's open proceeding on broadband reporting.

### III. DATA COLLECTION MECHANISMS

If the Commission finds that it is necessary to collect any infrastructure and operating data, this information should be collected from all industry participants on Form 477. While it is impossible at this time to state with any certainty as to whether any particular data collected should be treated as confidential information, it is likely that most broadband providers view disaggregated data on their operations and investments as highly sensitive competitive information

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<sup>10</sup> Those portions of the Commission's *NPRM* in this proceeding addressing information necessary for broadband policymaking duplicate the Commission's efforts in the Broadband Reporting proceeding, WC Docket No. 07-38.

In April of 2007, we issued a Notice of Proposed Rulemaking in which we questioned whether the information collected by Form 477 provides a sufficiently complete and accurate picture of broadband deployment, particularly with regard to deployment and adoption in rural areas, and the increasing use of wireless broadband and VoIP applications. In the *Data Gathering Notice*, we proposed modifying Form 477 in several respects to improve the quality of the data collected. Information about broadband availability and deployment throughout the nation, in all forms, is essential to the Commission to assess the success of our broadband policies, and to fulfill our obligations under section 706 of the Telecommunications Act of 1996. Accordingly, in the *Data Gathering Notice*, we solicited comment about options for collecting broadband deployment information in finer geographic detail. .... (footnotes omitted). *In the Matter of Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans, Improvement of Wireless Broadband Subscriber Data, and Development of Data on Interconnected Voice over Internet Protocol (VoIP) Subscriber Data*, Order on Reconsideration, 23 FCC Rcd 9800, 9800-01 ¶ 3 (2008).

Thus, no purpose would be served by the Commission addressing broadband reporting requirements in this proceeding.



that they do not disclose publicly. As such, without addressing any specific types of data, in most instances, disaggregated infrastructure and operating data filed in accordance with any Commission reporting requirement should be treated as confidential information.

#### **IV. CONCLUSION**

For the forgoing reasons, Qwest urges the Commission to find that there is no need to adopt “ARMIS-like” industry-wide reporting requirements on service quality, customer satisfaction, infrastructure and operations.

Respectfully submitted,

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November 14, 2008

## CERTIFICATE OF SERVICE

I, Ross Dino, do hereby certify that I have caused the foregoing **COMMENTS OF QWEST COMMUNICATIONS INTERNATIONAL INC.** to be 1) filed with the FCC via its Electronic Comment Filing System in WC Docket No. 08-190, 2) served via e-mail on Ms. Judith B. Herman at [Judith-B.Herman@fcc.gov](mailto:Judith-B.Herman@fcc.gov) and Ms. Kristy L. LaLonde at [Kristy L. LaLonde@omb.eop.gov](mailto:Kristy_L._LaLonde@omb.eop.gov); and 3) served via e-mail on the FCC's duplicating contractor Best Copy and Printing, Inc. at [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

/s/ Ross Dino

November 14, 2008